

No. 23-4509

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

UNITED STATES OF AMERICA *Plaintiff-Appellee,*

Versus

RUSSELL LUCIUS LAFFITTE *Defendant-Appellant.*

**APPELLEE’S MOTION FOR EXTENSION OF TIME
TO FILE RESPONSE TO APPELLANT’S MOTION FOR
BAIL/RELEASE PENDING APPEAL**

COMES NOW Appellee United States of America, by and through its undersigned counsel, and moves this Honorable Court for an extension of time within which to file its response to Appellant Russell Lucius Laffitte’s Motion for Bail/Release Pending Appeal in the above-captioned matter. The Government’s response is currently due Tuesday, August 22, 2023. The Government hereby requests an extension of three days, up to and including Friday, August 25, 2023.

This motion is made pursuant to Rules 26(b) and 27(d) of the Federal Rules of Appellate Procedure. In support of this motion, the United States would make the following showing:

1. Under Federal Rule of Appellate Procedure 9(b), Laffitte has asked this Court for “review of a district-court order regarding release after a judgment of conviction.” Laffitte moved for release pending appeal during his sentencing hearing, and the district court orally denied the motion.

2. In order to prepare its response to Laffitte’s motion, the Government will need to rely on the sentencing transcript, which contains the court’s relevant factual findings. The undersigned ordered an expedited copy of the transcript on Monday, August 14, 2023, before Laffitte’s motion was filed. It was received this afternoon, Thursday, August 17.

3. This request is not intended to delay the appeal proceedings but to enable the Government to fully brief and this Court to review the district court’s findings.

4. The undersigned has consulted with counsel for the Appellant, but counsel had not had the opportunity to consult with his client on their position as of the filing of this motion and therefore cannot consent at this time.

For the foregoing reasons, the Government would respectfully request that this Honorable Court grant a three-day extension of time, up to and including Friday, August 25, 2023, to file its response to Laffitte’s motion.

Respectfully submitted,

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